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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,340	12/01/2000	Tom Vicknair	P/2167-253	5053

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EXAMINER
DASS, HARISH T

ART UNIT	PAPER NUMBER
3628	

DATE MAILED: 06/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>01 December 2000</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-66* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-66* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 11-26 & 46-57 rejected under 35 U.S.C. 102(b) as being anticipated by Geer

(US 5,930,778).

Re. Claim 11, Geer discloses receiving an enhanced electronic cash presentment

(ECP) file, the enhanced ECP file containing first records representing paper-based

banking transactions, the first records containing both data records associated with the

paper-based banking transactions and digital images of the paper-based banking

transactions [Geer - C4 L26-L42; C8 L59 to C9 L10], and performing financial

processing with respect to each of the first records [Geer - C4 L26-L40; C7 L25-61].

Re. Claim 12, Geer discloses a) generating the digital images of the paper-based

banking transactions [Geer - C15 L17-L19], b) generating the data records associated

with the paper-based banking transactions [C15 L17-L19], c) combining the digital

images and the data records into the enhanced ECP file [Geer - C4 L26-L42; C8 L59 to

C9 L10], and transmitting the enhanced ECP file, wherein steps a), b), c) and d) are

performed by a first institution, wherein the receiving step is performed by a second institution [C8 L59 to C9 L10].

Re. Claim 13, Geer discloses wherein the paper-based banking transactions represented by the first records relate to accounts held at the second institution [C10 L50 to C11 L28].

Re. Claim 14, Geer discloses wherein both the first and the second institutions are banks [C10 L50 to C11 L28].

Re. Claim 15, Geer discloses further comprising sending the paper-based banking transactions from the first institution to the second institution [C10 L50 to C11 L52].

Re. Claim 16, Geer discloses further comprising retaining the paper-based banking transactions at the first institution [C10 L50 to C11 L52].

Re. Claim 17, Geer discloses wherein the digital images are first digital images, the method further comprising storing the first digital images in an archive [C8 L10-L67; C15 L17-L19; C17 L5-L8].

Re. Claim 18, Geer discloses generating second digital images of paper-based banking transactions that were not represented in the ECP file, and storing the second digital images in the archive [C8 L9-L67; C15 L7-L19; C17 L5-L8].

Re. Claim 19, Geer discloses generating digital images of the paper-based banking transactions [Geer - C15 L17-L19], generating data records associated with the paper-based banking transactions [Geer - C15 L17-L19], combining the digital images and the data records into the enhanced Electronic Check Presentment (ECP) file [C8 L59 to C9 L10], and transmitting the enhanced ECP file to a second institution [C8 L59 to C9 L10].

Re. Claim 20, Geer discloses wherein both the first and second institutions are banks [C10 L50 to C11 L28].

Re. Claim 21, Geer discloses generating, by the first bank, an electronic cash presentment (ECP) file, the ECP file containing first records representing the paper-based banking transactions [Geer - C4 L26-L42; C8 L59 to C9 L10], transmitting the ECP file to the second bank [Geer - C4 L26-L42; C8 L59 to C9 L10], generating, by the first bank, first digital images of the paper based banking transactions [C15 L17-L19], storing, by the first bank, the first digital images in an archive [C8 L10-L67; C15 L17-L19; C17 L5-L8], and retrieving, by the second bank, at least one of the first digital images from the archive [C4 L26-L42; C8 L59 to C9 L10].

Re. Claim 22, Geer discloses wherein the archive is located within the first bank [C4 L26-L42; C8 L59 to C9 L10].

Re. Claim 23, Geer discloses wherein the archive is located remotely with respect to both the first and the second banks [C4 L26-L42; C8 L59 to C9 L10].

Re. Claim 24, Geer discloses further comprising storing the first records in the archive [C4 L26-L42; C8 L9 to C9 L10; C15 L7-L19; C17 L5-L8].

Re. Claim 25, Geer discloses wherein the archive is a first archive remote from the first bank, the method further comprising storing the retrieved first digital images in a second archive within the second bank [C4 L26-L42; C8 L59 to C9 L10; C15 L7-L19; C17 L5-L8].

Re. Claim 26, Geer discloses further comprising: generating second digital images of paper-based banking transactions that were not represented in the ECP file [- C15 L17-L19], and storing the second digital images in the second archive [C4 L26-L42; C8 L9 to C9 L10; C15 L7-L19; C17 L5-L8].

Re. Claim 46, claim 46 is rejected with same rational as claim 11.

Re. Claim 47, claim 47 is rejected with same rational as claim 12.

Re. Claim 48, claim 48 is rejected with same rational as claim 13.

Re. Claim 49, claim 49 is rejected with same rational as claim 14.

Re. Claim 50, claim 50 is rejected with same rational as claim 17.

Re. Claim 51, claim 51 is rejected with same rational as claim 18.

Re. Claim 52, claim 52 is rejected with same rational as claim 21.

Re. Claim 53, claim 53 is rejected with same rational as claim 22.

Re. Claim 54, claim 54 is rejected with same rational as claim 23.

Re. Claim 55, claim 55 is rejected with same rational as claim 24.

Re. Claim 56, claim 56 is rejected with same rational as claim 25.

Re. Claim 57, claim 57 is rejected with same rational as claim 26.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-10, 27-35, 36-45 & 58-66 rejected under 35 U.S.C. 103(a) as being

unpatentable over Geer in view of Cahill et al (hereinafter Cahill - US 5,678,046).

Re. Claims 1, Geer discloses a system for expedited processing of checks and cash

items received by a payee, electronic files that mirror paper cash letters and detail

records [see entire document particularly - Abstract; Figures 1-2; C1 L1 to C6 L20],

receiving an electronic cash presentment (ECP) file, the ECP file containing first records

representing paper-based banking transactions [C4 L26-L40; C7 L25-61], for each of

the first records, assigning a unique first item sequence number to each respective first

record [C7 L38-L58], receiving the paper-based banking transactions [C4 L45 to C5

L10], generating second records representing the paper-based banking transactions

[C15 L17-L19], for each of the second records, assigning a unique second item

sequence number to each respective second record [C13 L44-L49], and correlating the

first and second records (second record translatable to financial instrument or checks)

[C13 L44-L49]. Geer does not explicitly disclose discarding the second item sequence

numbers such that the second records are indexable according to the first item

sequence number. However, Cahill discloses a method and apparatus for storing and

retrieving images of documents, e.g. checks [see entire document particularly, Abstract;

Figures 1-5, 27-30; C1 L1 to C10 L62] and discarding the second item sequence

numbers such that the second records are indexable according to the first item

sequence number [C15 L43-L67] to save storage space. It would have been obvious at

the time the invention was made to a person having ordinary skill in the art to combine

the disclosures of Geer and Cahill to save image and file data with index and discard

the second sequence number to save storage space.

Re. Claim 2, Geer discloses further comprising performing financial processing with

respect to each of the first records [Geer –C3 L30-L55; C4 L26-L42].

Re. Claim 3, Geer discloses wherein the financial processing comprises posting the banking transaction [Geer –C3 L30-L55; C4 L26-L42].

Re. Claim 4, Geer discloses wherein the step of correlating the first and second records further comprises performing a proofing process (verification) [C14 L17-L40].

Re. Claim 5, Geer does not disclose further comprising, prior to the proofing process, sorting the ECP file according to a key to generate an index file, wherein the order of the seconds is thereby irrelevant in the proofing process. However, Cahill discloses this feature [C9 L32-L36; C29 L1-L40] to use as a primary key. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine the disclosures of Geer and Cahill to revive image record using index as an alternate search key.

Re. Claim 6, Geer discloses wherein the key is selected from the group consisting an account number, a transit number, amount, check number, posting date, the first item sequence number and a payor bank number, each being associated with the paper-based banking transaction [Geer – C7 L38-L62].

Re. Claim 7, Geer discloses wherein the step of generating the second records further comprises generating digital images of the paper-based banking transactions [Geer - C15 L17-L19].

Re. Claim 8, Geer discloses further comprising storing the digital images in an archive [C8 L10-L67; C15 L17-L19; C17 L5-L8].

Re. Claim 9, Geer discloses further comprising generating first digital images of paper-based banking transactions that were not represented in the ECP file (electronic files that mirror paper cash letters and detail records) [C4 L26-L42; C8 L9-L67].

Re. Claim 10, Geer discloses generating second digital images of the paper-based banking transactions that were represented in the ECP file, and storing the first and the second digital images in an archive [C8 L9-L67; C15 L7-L19; C17 L5-L8].

Re. Claim 27, Geer discloses generating, by the first bank, an electronic cash presentment (ECP) file, the ECP file containing first records representing the paper-based banking transactions [C4 L26-L42; C8 L59 to C9 L10], transmitting the ECP file to the second bank [C4 L26-L42; C8 L59 to C9 L10], generating, by the first bank, first digital images of the paper based banking transactions [Geer - C15 L17-L19], and storing, by the first bank, the first digital images in an archive [C8 L10-L67; C15 L17-L19; C17 L5-L8]. Geer does not explicitly disclose generating, by the first bank, pointers to the first digital images in the archive, and transmitting the pointers to the second bank. However, Cahill discloses these features [C29 L1-L60] to store and retrieve image by passing pointers. It would have been obvious at the time the invention was made to a

person having ordinary skill in the art to combine the disclosure of Geer and Cahill to

retrieve/pass information using pointers to/from remote location.

Re. Claim 28, Geer discloses further comprising retrieving, by the second bank, at least

one of the first digital images from the archive using at least one of the pointers

(identification number) [C13 L44-L49].

Re. Claim 29, Geer discloses further comprising storing, by the second bank, the

pointers (identification number) [C13 L44-L49].

Re. Claim 30, Geer discloses generating second digital images of paper-based banking

transactions that were not represented in the ECP file, and storing the second digital

images in a second archive [C8 L9-L67; C15 L7-L19; C17 L5-L8].

Re. Claim 31, Geer discloses wherein the second archive is the first archive [C8 L9-L67;

C15 L7-L19; C17 L5-L8].

Re. Claim 32, Geer discloses wherein the second archive is located within the second

bank [C8 L9-L67; C15 L7-L19; C17 L5-L8].

Re. Claim 33, Geer discloses wherein the first is remote to both the first and second

banks [C8 L9-L67; C15 L7-L19; C17 L5-L8].

Re. Claim 34, Geer discloses generating, by the second bank, second pointers to the

second digital images stored in the second archive (identification number) C8 L9-L67;

C15 L7-L19; C17 L5-L8].

Re. Claim 35, Geer discloses further comprising: storing, by the second bank, the first

pointers and the second pointers (identification number) [C8 L9-L67; C15 L7-L19; C17

L5-L8].

Re. Claim 36, claim 36 is rejected with same rational as claim 1.

Re. Claim 37, claim 37 is rejected with same rational as claim 2.

Re. Claim 38, claim 38 is rejected with same rational as claim 3.

Re. Claim 39, claim 39 is rejected with same rational as claim 4.

Re. Claim 40, claim 40 is rejected with same rational as claim 5.

Re. Claim 41, claim 41 is rejected with same rational as claim 6.

Re. Claim 42, claim 42 is rejected with same rational as claim 7.

Re. Claim 43, claim 43 is rejected with same rational as claim 8.

Re. Claim 44, claim 44 is rejected with same rational as claim 9.

Re. Claim 45, claim 45 is rejected with same rational as claim 10.

Re. Claim 58, claim 58 is rejected with same rational as claim 27.

Re. Claim 59, claim 59 is rejected with same rational as claim 28.

Re. Claim 60, claim 60 is rejected with same rational as claim 29.

Re. Claim 61, claim 61 is rejected with same rational as claim 30.

Re. Claim 62, claim 62 is rejected with same rational as claim 31.

Re. Claim 63, claim 63 is rejected with same rational as claim 32.

Re. Claim 64, claim 64 is rejected with same rational as claim 33.

Re. Claim 65, claim 65 is rejected with same rational as claim 34.

Re. Claim 66, claim 66 is rejected with same rational as claim 35.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. Applicant is required under 37 CFR ' 1.111 (c) to consider the references

fully when responding to this action.

Oracle8i SQL. SQL Statements (continued), discloses composite key, see

example on page 19/31

(http://www.camden.rutgers.edu/HELP/Documentation/Oracle/server.815/a67779/ch4e.h

tml).

Ellard, 1999 "Data Structures and I/O 1999" discloses file pointers for

Input/Output files and copying on the files, see page 3/10.

http://www.people.fas.harvard.edu/~ellardd2/cs50-99/dsio.html.

US 6,678,703 to Rothschild et al, Jan. 13, 2004 "Medical image management

system and method" discloses a medical image management system and method that

uses a central data management system to centrally manage the storage and

transmission of electronic records containing medical images between remotely located

facilities.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Harish T Dass whose telephone number is 703-305-

4694. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hyung S Sough can be reached on 703-308-0505. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Harish T Dass
Examiner
Art Unit 3628

FRANTZY POINVIL
PRIMARY EXAMINER
AU 3628

6/9/04